

REMARKS

Claims 1-13 and 16-29 remain pending in the application, wherein claims 1, 10, 27 and 29 have been amended. Reconsideration and allowance for the above-identified application are now respectfully requested in view of the foregoing amendments and following remarks.

Claim 1 was amended to more particularly claim embodiments illustrated in Figures 6A, 6B, 7B, 14A, 14B, 15A, 15B, 16A, 16A, 18A and 18B, which include a pair of handles and a corset and harness used to attached the handles to opposite sides of a child's body, wherein each of the pair of opposing has a loop that is secured and positioned relative to the corset or harness along a single line that extends transversely between the upper and lower edges of the corset or harness. As a result, "a hand gripping each of the opposing handles is positioned adjacent to the corset or harness at least partially between the upper and lower edges" as further recited in claim 1. This configuration provides improved balance and control when holding a child, as illustrated in Figures 18A and 18B, with the at least a portion of the hands of the person gripping the handles being adjacent to the corset or harness between the upper and lower edges. This in turn allows the person to lift the child in a natural fashion that better approximates how a child would be held in the absence of the handles. If the handles were to instead comprise a pair of loops that were attached at spaced apart positions along the length of the corset or harness, the hands gripping such handles would necessarily be rotated to an approximately horizontal position relative to the harness or corset and be disposed entirely or mostly above the upper edge of the corset or harness. This would put significantly more strain on the person's wrists compared to the more natural hand orientations shown in Figures 18A and 18B.

Claim 1 distinguishes over Farnum I (US 5,647,378) and Farnum II (US 6,073,280), which disclose an invalid support belt that includes a pair of loops on belt portion 12 that are each attached at two spaced apart locations along the length of belt portion 12. This causes the loop to extend substantially above the upper edge of belt portion 12 rather than transversely between upper and lower edges, as required by claim 1. Providing loops as in Farnum I and II would necessarily require the person gripping the handles to rotate the hands into a horizontal position above the upper edge of belt portion 12, rather than at least partially between upper and lower edges of a corset or harness as required by claim 1 as amended. While this loop design is designed to serve the purpose of Farnum I and II (*i.e.*, hoisting the heavy body of an invalid), it would not serve the purpose of the invention of claim 1, which is to permit an adult to restrain a child with the restraining hand(s) in a comfortable, approximately vertical position (as illustrated

in Figures 18A and 18B) adjacent to the corset or harness rather than an uncomfortable horizontal orientation above the belt 12 as required when using the opposing handles of the Farnum I and II devices.¹

Because the invalid support belts of Farnum I and II are specifically designed for use in hoisting the generally heavy and unsteady body of an invalid, the loop arrangements shown in Farnum I and II makes sense. This allows someone to firmly grip the loops from above and securely hoist the invalid upwards. Because a substantial amount of strength is typically required to securely lift an invalid, it would not make sense to change the loops of the invalid support belt so as to extend transversely between upper and lower edges, as illustrated in Figures 6A, 6B, 7B, 14A, 14B, 15A, 15B, 16A, 16A, 18A and 18B of the present application and recited in claim 1 as amended. Thus, one of skill in the art would not have been motivated to alter the position and configuration of the handles of Farnum I and II to obtain the claimed opposing handles of claim 1 because to do so would render the Farnum I and II devices unsuitable for their intended purpose of permitting the hoisting of the dead weight of an invalid.

Claim 10 was alternatively amended to recite a device having a "single handle". A device having a single handle is useful in restraining a child. However, it would be contrary to both Farnum I and Farnum II to modify the disclosed device to only include a single handle because it would render it unsuitable for its intended purpose of permitting one to reliably hoist the dead weight of an invalid, which necessarily requires loops on both sides of the invalid to prevent falling.

Claim 20 claims a method of holding or restraining a child in a desired position with one hand gripping a handle attached to the child's body and washing the child with the free hand not used to grip the handle. Because of the relatively light weight of a child, gripping with only one hand is possible and desirable in order to free up the other hand to wash the child. In contrast, Farnum I and II disclose a device used to hoist the dead weight of an invalid, which necessarily requires gripping the device with two hands to prevent the invalid from falling over. In any event, Farnum I and II clearly neither teach nor suggest holding a child in a desired position while giving a bath using only one hand and washing the child with the free hand. Nor does the

¹ The single horizontal handle of Farnum I is attached along a line that is parallel, rather than transverse, to upper and lower edges of the Farnum I device, which would force one gripping this handle to rotate the hand into an uncomfortable horizontal position relative to the belt 12 rather than the more comfortable, transverse orientation illustrated in Figures 18A and 18B of the application. Farnum II only includes a single vertically disposed handle 40, which fails to suggest a pair of opposing handles that are oriented as in claim 1.

Office Action even allege that they do. The Office Action merely states that a bath could be given, but fails to address the specific combination of limitations recited in claim 20. Accordingly, claim 20 as previously presented defines a method that is neither taught nor suggested in Farnum I or II or any other art of record.

Claim 27 was amended to claim a releasable handle comprising a pair of straps, "each having a first end permanently attached to the corset or harness along a single line that extends transversely between upper and lower edges of the corset or harness, that may be selectively connected and unconnected and that form a loop when selectively connected that is attached along a single line that extends transversely between upper and lower edges of the corset or harness so that a hand gripping the loop is positioned adjacent to the corset or harness at least partially between the upper and lower edges". This is shown in Figures 7B, 15A-B and 16A-B. As discussed above, this orientation is quite different from the opposing handles of Farnum I and II, both of which are attached at positions along the length of belt 12 instead of transversely between upper and lower edges of a corset or harness. For this reason alone, claim 27 is patentable over Farnum I, either alone or in combination with O'Conner.

Moreover, Farnum I fails to disclose a releasable handle having a pair of straps, each having a first end permanently attached to a corset or harness. Instead, Farnum I discloses a non-releasable, single piece handle that is permanently stitched together. Farnum I therefore fails to disclose "reconnectable attachment means". For this reason, the office action combines O'Conner (US 1,310,958) to provide this admittedly missing element. However, O'Conner fails to teach or suggest a releasable handle, having a pair of straps permanently and independently attached at a first end and reconnectable attachment means disposed at second ends opposite the first end. Straps having first ends that are independently attached to a corset or harness are shown in Figures 7B, 15A-B and 16A-B. In sharp contrast, the loops shown in O'Conner are attached to the belt at a single point via the spring hooks. O'Conner neither teaches nor suggests a releasable handle comprising a pair of straps that are independently and permanently attached to a corset or harness. Accordingly, even if O'Conner were combined with Farnum I, the combined teachings of these references would not teach or suggest every element of claim 27 as amended for this additional reason.

Claim 28 was deemed to be allowable.

Claim 29 alternatively claims a child restraint device that includes, among other things, a central balancing handle attached to the corset or harness in a manner so that the handle has a

loop, substantially all of which is disposed between upper and lower edges of the flexible corset or harness. The office action correctly states that the opposing balancing handle positioned on an opposite side of the flexible corset or harness is merely optional and not a required feature. However, claim 29 specifies that the child restraint device includes either one or two handles, but not more (*e.g.*, three). Moreover, the one or two handles are attached in a way so that "substantially all" of the one or two loops are disposed between the upper and lower edges of the flexible corset or harness. Devices that include one or two handles attached in this manner confines the hand(s) of a person gripping the handle to a region immediately adjacent to an outer surface of the harness or corset (*i.e.*, substantially between upper and lower edges of the corset or harness). This causes the gripping hand to be located immediately next to where the harness or corset is attached to the child's body, which provides better balance and control compared to a loop that extends entirely above an upper edge of the harness or corset.

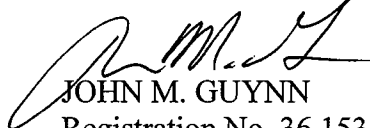
In contrast to the invention of claim 29, the invalid support belt of Farnum I and II consists of three handles, two of which are loops that extend longwise relative to and substantially above the belt member 12 as clearly shown in the drawings. As such, the opposing handles of Farnum I and II are not positioned so that "substantially all" of such handles are disposed between upper and lower edges of a corset or harness as required by claim 29 as amended. Thus, claim 29 is neither anticipated by nor obvious over Farnum I and II, either alone or in combination with any other art of record.

Finally, Claim 29 as amended and explained herein fully satisfies the requirement of 35 U.S.C. § 112.

In conclusion, Applicant submits that the Application is currently in allowable form. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or which may be overcome by examiner amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 26th day of January 2007.

Respectfully submitted,


JOHN M. GYNN
Registration No. 36,153
Applicant
Customer No. 022913